IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FOURTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

-

WRIT PETITION NO : 3458 of 2005

Between:

1.Shaik Moulana, S/o. Shaik Moinuddin
R/o. Brahmana Vellemla, Narkatpally Mandal, Nalgonda District.
2.P. Sattaiah, S/o. Lingaiah,
Near Ashoka Rice Mills, Nalgonda Road, R/o. Narkatpally Village & Mandal,

Nalgonda District.
3.Krishnaiah, S/o. Yellaiah,
R/o. Savaigudem Village Wanaparthy Mandal, Mahabubnagar district.
4.G. Jangaiah, S/o. Raghavulu,
H.No. 1-35, Kuntloor village, Hayathnagar Mandal, Rangareddy District.
5.Ch. Ashok, S/o. Eswaraiah,
H.No. 3-12, Pasamala village, Hayathnagar Mandal, Ranga Reddy District.
6.S. Venkatesh, S/o. S. Hanmanthu,
H.No. 2-50, Pasmamla village, Hayathnagar Mandal, Ranga Reddy District.

..... PETITIONERS

AND

The Regional Manger, APSRTC, Hyderabad City Region, JBS, Picket,
Secunderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ or order or direction more particularly one in the nature of Writ of Mandamus declaring that the action of the respondents the petitioner's candidature to the post of Driver Grade II in Hyderabad City Region and cancelling/deleting the petitioner's name from the selected candidates list of driver post on the ground that

the petitioners did not respond to the call on news paper to work in October/November 2001 as bad, arbitrary, unjust, unreasonable and against the principles of natural justice and consequently direct the respondent to appoint the petitioners as Driver Grade II on par with their juniors in selection list and pass such other order or orders

Counsel for the Petitioners: MR.P.VENKATESWAR RAO

Counsel for the Respondent: MR.V.T.M.PRASAD (S.C.FOR APSRTC)

The Court at the admission stage made the following:

ORDER:

Heard the learned counsel for the petitioners and Sri V.T.M.Prasad, the learned Standing Counsel appearing on behalf of the respondent-Corporation.

It is represented by either side that the question involved in this writ petition is squarely covered by the judgment in W.P.No.19873 of 2004, dated 01.11.2004.

Following the same, this writ petition is also disposed of with a direction to examine the cases of the petitioners also for appointment irrespective of the fact that they failed to attend to duty during the strike period in pursuance of the paper notification given by the respondent and pass appropriate orders regarding their request for appointment in pursuance of the selection made in 1999 within two months from the date of receipt of a copy of this order. It is needless to mention that the impugned orders shall stand set aside and it is open for the respondents to consider their case afresh as directed above. No costs.

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24.02.2005

Note: Issue CC by Monday

(b/o)

VGB

To

1. The Regional Manger, APSRTC, Hyderabad City Region, JBS, Picket, Secunderabad.
2. 2CD copies